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Applicant or Patentee: OXY L'EAU INC.

Serial or Patent No.: 09/679,371 Attorney's Docket No.: SWAB:003B

Date Filed or Issued: October 5, 2000

For: CATALYTIC SIMULATION USING RADIO FREQUENCY WAVES

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am:

- ( ) the owner of the small business concern identified below:
- ( x) an official empowered to act on behalf of the concern identified below:

**NAME OF CONCERN:** OXY L'EAU INC.

**ADDRESS OF CONCERN:** 300 Towers Road, Unit 12, Woodbridge, Ontario L4L 6A1 CANADA

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that: (1) the number of employees of the concern, including those of its affiliates, does not exceed 500 persons; and (2) the concern has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who could not be classified as an independent inventor if that person had made the invention, or to any concern which would not qualify as a small business concern or a nonprofit organization under this section.

For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled CATALYTIC SIMULATION USING RADIO FREQUENCY WAVES by inventor Thomas J. Mohr described in

( ) specification filed herewith.

( X) application serial no. 09/679,371, filed October 5, 2000.

( ) patent no. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required for each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME:

ADDRESS:

( ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN ( ) NONPROFIT ORGANIZATION

FULL NAME:

ADDRESS:

( ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN ( ) NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the

application, any patent issuing thereon, or any patent to which  
this verified statement is directed.

NAME OF PERSON SIGNING Thomas J. Mohr  
TITLE OF PERSON SIGNING Inventor / Vice President  
ADDRESS OF PERSON SIGNING 48 Sandway Crescent, Maple, ON Canada  
L6A 2M1

Thomas J. Mohr  
SIGNATURE

02/01/01 (January 2, 2001)  
DATE



**DECLARATION AND POWER OF ATTORNEY  
FOR CONTINUATION-IN-PART APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; that

I verify believe that I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the improvement in CATALYTIC SIMULATION USING RADIO FREQUENCY WAVES

described and claimed in the specification

- a. [ ] attached hereto.
- b. [ ] filed on October 5, 2000 as Application Serial No. 09/679,371 and amended on \_\_\_\_\_

(if applicable)

and that this application in part discloses and claims subject matter disclosed in my or our earlier filed pending applications, Serial No. 08/760,342, 09/412,359, 09/507,122 and provisional 60/123,477, filed December 4, 1996, October 5, 1999, February 18, 2000, and March 3, 1999, respectively, the benefits of which are hereby claimed under 35 U.S. Code §120. I hereby state that I have reviewed and understand the contents of this application, including the claims, as amended by any amendment referred to above; and that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

Under Title 35 U.S. Code §119, the priority benefits of the following foreign application(s) filed within one year prior to said earlier filed pending application are hereby claimed:

None

The following applications for patent or inventor's certificate on this invention were filed in countries foreign to the United States of America either (a) more than one year prior to said earlier filed pending application, or (b) before the filing date of the above-named foreign priority application(s):

None

(If there are no corresponding applications, insert "NONE".)

As to any and all subject matter of this application which is not common to said earlier application, I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a), which occurred between the filing date of the prior application and the filing date of this application.

Under Title 35 U.S. Code §119, the priority benefits of the following foreign application(s) filed within one year prior to this application are hereby claimed:

None

The following applications for patent or inventor's certificate on such subject matter were filed in countries foreign to the United States of America either (a) more than one year prior to said earlier filed pending application, or (b) before the filing of the immediately above-named foreign priority application(s):

None

(If there are no corresponding applications, insert "NONE".)

I hereby appoint the following as my attorneys of record with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office:

Roger W. Parkhurst, Registration No. 25,177; and/or Charles A. Wendel, Registration No. 24,453.

All correspondence in connection with this application should be sent to:

PARKHURST & WENDEL, L.L.P.  
1421 Prince Street, Suite 210  
Alexandria, Virginia 22314-2805  
Telephone: (703) 739-0220

I hereby declare that I have reviewed and understand the contents of this Declaration, and that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Typewritten Full Name of  
Sole or First Inventor

Thomas J. Mohr

Given Name

Middle Initial

MOHR

Family Name

\* INVENTOR'S SIGNATURE

\* DATE OF SIGNATURE

January 30 2001

Month

Day

Year

Residence

Maple  
City

Ontario  
State or Province

CANADA  
Country

Citizenship

United States

Post Office Address 68 Sandway Crescent, Maple  
(insert complete  
mailing address Ontario, CANADA L6A 2M1  
including country)